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OFFICE OF PETITIONS

In re Patent No. 7,381,729
Pahl et al.
Issue Date: June 3, 2008
Application No. 10/828,650
Filed: April 21, 2004
Attorney Docket No. 04266864
Title: 4-(4-Trans-
hydroxycyclohexyl) Amino-2-
Phenyl-7H-Pyrrolo
[2,3D] Pyrimidine Hydrogen
Mesylate, Its Polymorphic
forms, and methods for making
same

: DECISION UPON REMAND AND
: RECONSIDERATION OF
: PATENT TERM ADJUSTMENT
: AND NOTICE OF INTENT
: TO ISSUE CERTIFICATE OF
: CORRECTION
:

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. The term of the above-identified patent is extended or adjusted by six hundred thirty-three (633) days.

The application is being forwarded to the Certificates Branch for issuance of a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by nine hundred thirty-three (633) days.

Telephone inquiries specific to this matter should be directed to Senior Legal Advisor, Kery A. Fries at (571) 272-7757.

Patent No. 7,381,729
/Kery A. Fries/

Application No. 10/828,650

Page 2

Kery A. Fries
Senior Legal Advisor Attorney
Office of Patent Legal Administration
Office of Associate Commissioner
For Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

Patent No. 7,381,729

Application No. 10/828,650

Page 2

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,381,729 B2

DATED : June 3, 2008

DRAFT

INVENTOR(S) : Pahl et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 534 days

Delete the phrase "by 534 days" and insert – by 633 days--

Day : Tuesday
Date: 5/18/2010

Time: 12:40:36

PALM INTRANET

PTA Calculations for Application: 10/828650			
Application Filing Date:	04/21/2004	PTO Delay (PTO):	534
Issue Date of Patent:	06/03/2008	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	0
Post-Issue Petitions:	0	Total PTA (days):	633
PTO Delay Adjustment:	99		

File Contents History						
Number	Date	Contents Description	PTO	APPL	START	
90	05/18/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	99			
71.5	05/14/2008	PTA 36 MONTHS				
71	06/03/2008	PATENT ISSUE DATE USED IN PTA CALCULATION	57		61	
70	04/30/2008	EXPORT TO FINAL DATA CAPTURE				
69	04/29/2008	DISPATCH TO FDC				
68	04/25/2008	MAIL-PETITION DECISION - DISMISSED				
67	04/25/2008	PETITION DECISION - DISMISSED				
66	03/31/2008	MAIL-PETITION DECISION - DISMISSED				
65	03/31/2008	PETITION DECISION - DISMISSED				
64	12/07/2007	PETITION ENTERED				
62	12/20/2007	APPLICATION IS CONSIDERED READY FOR ISSUE				
61	12/07/2007	ISSUE FEE PAYMENT VERIFIED				
60	12/10/2007	PETITION ENTERED				
59	12/07/2007	ISSUE FEE PAYMENT RECEIVED				
58	09/17/2007	EXPORT TO INITIAL DATA CAPTURE				
57	09/10/2007	MAIL NOTICE OF ALLOWANCE				
56	09/06/2007	ISSUE REVISION COMPLETED				
55	09/06/2007	DOCUMENT VERIFICATION				
54	09/04/2007	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED				
53	09/04/2007	NOTICE OF ALLOWABILITY				
51	07/30/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED				
50	07/30/2007	ELECTRONIC INFORMATION DISCLOSURE STATEMENT				

49	08/17/2007	DATE FORWARDED TO EXAMINER			
48	07/30/2007	REQUEST FOR CONTINUED EXAMINATION (RCE)			
47	08/17/2007	DISPOSAL FOR A RCE / CPA / R129			
46	07/30/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
45	07/30/2007	WORKFLOW - REQUEST FOR RCE - BEGIN			
44	06/08/2007	FINISHED INITIAL DATA CAPTURE			
43	05/14/2007	EXPORT TO INITIAL DATA CAPTURE			
42	05/09/2007	MAIL NOTICE OF ALLOWANCE			
41	05/07/2007	ISSUE REVISION COMPLETED			
40	05/07/2007	DOCUMENT VERIFICATION			
39	05/07/2007	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
38	05/07/2007	NOTICE OF ALLOWABILITY			
37	04/26/2007	DATE FORWARDED TO EXAMINER			
36	04/16/2007	AMENDMENT AFTER FINAL REJECTION			
35	03/22/2007	MAIL EXAMINER INTERVIEW SUMMARY (PTOL - 413)			
34	03/19/2007	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)			
33	02/22/2007	MAIL FINAL REJECTION (PTOL - 326)			
32	02/16/2007	FINAL REJECTION			
31	01/11/2007	DATE FORWARDED TO EXAMINER			
30	01/05/2007	RESPONSE AFTER NON-FINAL ACTION			
29	10/11/2006	MAIL NON-FINAL REJECTION	477		-1
28	09/29/2006	NON-FINAL REJECTION			
27	07/07/2006	CASE DOCKETED TO EXAMINER IN GAU			
26	06/14/2006	CASE DOCKETED TO EXAMINER IN GAU			
25	11/03/2005	CORRESPONDENCE ADDRESS CHANGE			
24	10/28/2005	CORRESPONDENCE ADDRESS CHANGE			
23	11/11/2004	CORRESPONDENCE ADDRESS CHANGE			
22	11/02/2004	CASE DOCKETED TO EXAMINER IN GAU			
21	11/02/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
20	08/27/2004	APPLICATION RETURN FROM OIPE			
19	08/27/2004	APPLICATION IS NOW COMPLETE			
18	08/27/2004	PRE-EXAM OFFICE ACTION WITHDRAWN			
17	08/27/2004	APPLICATION RETURN TO OIPE			

16	08/27/2004	APPLICATION RETURN FROM OIPE		
15	08/27/2004	APPLICATION RETURN TO OIPE		
14	08/27/2004	APPLICATION RETURN FROM OIPE		
13	08/27/2004	APPLICATION IS NOW COMPLETE		
12	08/06/2004	A STATEMENT BY ONE OR MORE INVENTORS SATISFYING THE REQUIREMENT UNDER 35 USC 115, OATH OF THE APPLIC		
11	08/27/2004	PRE-EXAM OFFICE ACTION WITHDRAWN		
10	08/27/2004	APPLICATION RETURN TO OIPE		
9	08/27/2004	APPLICATION DISPATCHED FROM OIPE		
8	08/27/2004	APPLICATION IS NOW COMPLETE		
7	08/06/2004	ADDITIONAL APPLICATION FILING FEES		
5	07/01/2004	NOTICE MAILED--APPLICATION INCOMPLETE--FILING DATE ASSIGNED		
4	05/20/2004	CLEARED BY OIPE CSR		
3	05/20/2004	CASE CLASSIFIED BY OIPE		
2	04/28/2004	IFW SCAN & PACR AUTO SECURITY REVIEW		
1	04/21/2004	INITIAL EXAM TEAM NN		

Search Another: Application#

EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

To go back, right click here and select Back. To go forward, right click here and select Forward. To refresh, right click here and select Refresh..

Back to [OASIS](#) | Home page